

**Dayton Planning Board  
and  
Public Hearing  
January 14, 2020**

**Members Present:** Shannon Belanger, Bruce Reynolds, Darren Adams, Christopher Belanger, Justin Lord, John Boissonnault

**Town Employees Present:** Jim Roberts (CEO), Linda Bristol (Secretary)

**Public Present:** William Thompson, BH2M  
James and Char Bouley, 26 Apple Blossom Lane  
Rebecca and John Hulbert, 36 Gould Road

**Administrative:**

Meeting Minutes were read from December 10, 2019. John Boissonnault made a motion to accept the minutes and Darren Adams seconded the Motion. All voted in favor.

**Old Business:**

Application from Van Hertel, Jr. to bring one lot back to two in Linwood acres. He wishes to divide Lot 8 into two lots. William Thompson from BH2M was at the meeting as his representative.

The Board received the pre-application plan and held a site walk on December 14<sup>th</sup>. Shannon, John and Chris participated in the site walk. They noted a brush pile which will be removed and made note of an existing wetland going into Lot 9. Justin went to the site a few days later. The Board received an amendment to the application from BH2M. Darren made a motion to receive the application and Bruce seconded it. All were in favor. William noted that this is an amendment to the original subdivision. There were originally two lots and the second owner amended to one lot.

He said there will be septic and wells on both lots and underground utilities. Lyman has sent a memo indicating the Town has no interest in this project. The shared driveway will be 20-feet wide. The map shows some wetlands, but the drainage from the driveway will go into the ditches so storm water will not be a problem. Nothing will leave the site; it will go back to the stream. There will be no impact to the neighbors. The Lots now have a tax map reference. The setbacks have been changed to 30 feet. All are in the building zone.

All pins and monuments have been set over time. The well will be no closer than 100 feet from the septic so there is no issue. They meet separation for septic and wells.

Apple Blossom Lane is being considered for a public road.

Wetlands will not be disturbed.

Shannon noted that zoning changes occurred after 2007 in all lots within the village district. The 30-foot setback only applies to Lots 8 and 9. The other lots are grandfathered at 25 feet. The test pit in Lot 9 is 18 inches and will be tested again.

Jim asked if it is known how far the underground utilities are now.

William said he is not sure, but this would be determined by CMP.

James asked if there would be any more tree cutting and William told him that there would not be any more cutting.

William noted that he had no knowledge of what the previous owner of Lot 3 did, but it did fall under DEP.

John asked Shannon if somebody built in wetlands.

Shannon said that Lot 3 was allowed to build in some of the wetlands, but it is all lawn now.

John asked if that would impact this.

Shannon said that it will need to be updated if more was impacted than allowed.

John said if they filled in too much, it needs to be fixed.

Char said that when it rains, it looks like a pond in the part of the lot that cannot be built on.

William said DEP may have to evaluate if there is a problem. It should not affect the road. The road is fine.

Jim said they will probably need an after-the-fact permit from DEP for wetland fill.

Char asked what their next step would be.

William said to call DEP, but they won't come until spring.

James asked who would pay for this as there are only six homeowners.

Shannon said it needs to be shown correctly on the map plan for Lot 3.

Justin asked if this would affect the road and Jim said that it would not.

Shannon said the owner of Lot 3 needs to be informed of the issue. And, DEP needs to be notified.

Char asked if it is that there is only so much to impact wetlands.

William said there is no impact to wetlands on Lots 8 and 9.

John asked if there could be a fine or penalty and William said that he doubted it.

Char asked if a consultant is necessary. William said DEP would come out and to start with them. She asked if the town would send a letter.

Jim said that the Town would not draft a letter. If somebody fills in wetland after, the Town has no way of knowing. But, it is better to correct now than when the owner goes to sell.

John asked will it hold this amendment up if not clarified first.

Shannon said we can make some sort of notation.

John noted that it is the responsibility of the owner of Lot 3.

Shannon said she believes we can come up with language and move forward with this application.

Justin noted that because there will be a shared driveway, there will be no impact to the road.

John said a hammerhead will be needed and William said that one is proposed.

Jim stated that the Town of Lyman signed off from the project. (Update: William has been sent a copy of the memo from Lyman.)

Char asked about the drainage into the stream and William said it is a natural drain off for surface water.

Jim reminded the Board of the proposal for a construction easement off Route 35. The State gave permission for one. That will be reclaimed after construction is complete.

Shannon said the revised plan should be coming soon and that it would be a good idea to have a Public Hearing.

Jim asked William to send him a PDF file so he can send it to the Board.

Shannon said if there are no more questions, we will continue at the February meeting which will be the Public Hearing on February 25, 2020.

The next item under Old Business to be discussed was the Subdivision Regulation changes. Shannon explained what the Subdivision Regulations cover. Tonight we are here to listen to any comments from the public. And, Bruce asked if the public had any concerns. They had none.

Shannon said that if there were no comments or concerns, we can close the Public Hearing.

Darren made a motion to adopt the Subdivision Regulations as amended. John seconded the motion. All were in favor.

**New Business:**

None Discussed.

**Other Business:**

Jim noted that he has been receiving calls about solar energy projects.

Shannon said the Board should look at the solar panel issue and maybe adopt with the subdivision regulations. This will be on the next agenda.

Darren made a motion to adjourn and John seconded it. All were in favor. The meeting adjourned at 8:00 PM. The next meeting will be the Public Hearing on Tuesday, February 25, 2020, at 6:30 PM at the Dayton Town Office.

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Date: \_\_\_\_\_

Linda Bristol, Secretary

\_\_\_\_\_  
Date: \_\_\_\_\_

Shannon Belanger, Chairman

COPIES TO: Jim Roberts, Code Enforcement Officer; Selectmen; and Tax Assessor

THESE MINUTES MAY NOT BE TRANSCRIBED VERBATIM. SECTIONS MAY BE PARAPHRASED FOR CLARITY.

